

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

FILED
BILLINGS DIV.

2010 JUN 1 PM 12 31

PATRICK E. DUFFY, CLERK
BY _____

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

RONALD and BEVERLY OHLIN;
STATE OF MONTANA, DEPT.
OF REVENUE; and PORTFOLIO
RECOVERY ASSOCIATES, LLC,

Defendants.

CV-09-13-BLG-RFC-CSO

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS OF
MAGISTRATE JUDGE

United States Magistrate Judge Carolyn Ostby has recommended the denial of the Ohlin's Motion to Stay Pending Appeal. *Doc. 61*. Judge Ostby recommends the motion be denied because the Ohlins have not filed a supersedeas bond and have again failed to comply with Local Rule 7.1(c)(1).

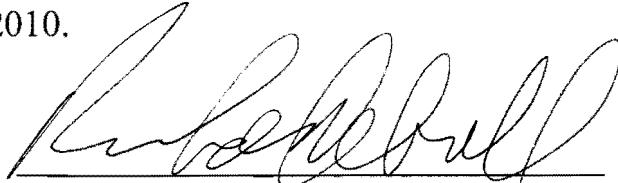
Upon service of a magistrate judge's findings and recommendation, a party has 14 days to file written objections. 28 U.S.C. § 636(b)(1). The time for objection has expired and no objections have been filed. The failure to object waives all objections to the findings of fact, *Turner v. Duncan*, 158 F.3d 449, 455

(9th Cir. 1999), but does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After a reviewing of the record and applicable law, this Court finds Magistrate Judge Ostby's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

IT IS HEREBY ORDERED that the Ohlin's Motion to Stay (*Doc. 59*) is **DENIED**.

DATED the 18th day of June 2010.



RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE